



EXPRESS MAIL NO. EV336595313US

PTO/SB/01A (08-03).

Approved for use through 10/31/2002. OMB 0651-0032.

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** TWO-LEVEL PROTECTION FOR UNINTERRUPTED POWER SUPPLY

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/713,552, filed on November 14, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Duo Deng Citizen of: People's Republic of ChinaSignature: *Duo Deng* Date: 1/8/04Inventor two: Kenneth J. Farkas Citizen of: United StatesSignature: *Kenneth J. Farkas* Date: 1/28/2004

Inventor three: _____ Citizen of: _____

Signature: _____ Date: _____

Inventor four: _____ Citizen of: _____

Signature: _____ Date: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: P.O. Box 1450, Alexandria, VA 22313-1450.

Docket No. 130209.513

441091_1.DOC



EXPRESS MAIL NO. EV336595313US

PTO/SB/81 (06-03)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**ELECTION AND POWER OF
ATTORNEY and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/713,552
Filing Date	November 14, 2003
First Named Inventor	Duo Deng
Title	TWO-LEVEL PROTECTION FOR UNINTERRUPTED POWER SUPPLY
Art Unit	
Examiner Name	
Attorney Docket Number	130209.513

I hereby appoint:

☒ Practitioners at Seed IP Law Group PLLC, Customer Number: **00500**

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ As assignee of record of the entire interest I/we hereby elect, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).**SIGNATURE of Applicant or Assignee of Record**

Name	Fred Flett - Vice-President, Product Development
Signature	
Date	02/07/04
Name	Noordin S.K. Nanji - Corporate Secretary
Signature	
Date	February 5, 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

441082_1.DOC

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Duo Deng et al.Application No./Patent No.: 10/713,552Filed/Issue Date: November 14, 2003Entitled: TWO-LEVEL PROTECTION FOR UNINTERRUPTED POWER SUPPLYBallard Power Systems Corporation

(Name of Assignee)

a

corporation(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records
of the USPTO. See MPEP 302.8]

The undersigned (whose titles are supplied below) are authorized to act on behalf of the assignee.

02/03/04
Date_____
Telephone NumberFred Flett

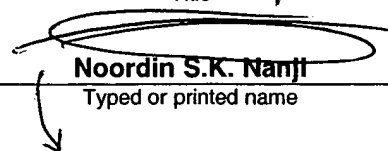
Typed or printed name


SignatureVice-President, Product Development

Title

February 5, 2004
Date_____
Telephone NumberNoordin S.K. Nanji

Typed or printed name


SignatureCorporate Secretary

Title

ASSIGNMENT

WHEREAS, we, Duo Deng and Kenneth J. Farkas (hereinafter referred to as ASSIGNORS), having mailing addresses of 45427 Indian Creek Drive, Canton, Michigan 48187 and 9278 Summercrest Drive, Brighton, Michigan 48116, respectively, are the joint inventors of an invention entitled "TWO-LEVEL PROTECTION FOR UNINTERRUPTED POWER SUPPLY," as described and claimed in the specification for which an application for United States letters patent was filed on November 14, 2003, and assigned Application No. 10/713,552;

WHEREAS, Ballard Power Systems Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 15001 Commerce Drive North, Dearborn, Michigan 48120, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

1/8/2004
Date

Duo Deng
Duo Deng

State of Michigan)

ss.

County of Wayne)

I certify that I know or have satisfactory evidence that Duo Deng is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated 1-8-04

Signature of
Notary Public Ameenah Smith

Printed Name Ameenah Smith

My appointment expires _____

AMEENAH SMITH
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES JUL 21, 2008

1/28/2004
Date
Kenneth J. Farkas
Kenneth J. Farkas

State of Michigan)
County of Wayne) SS.

I certify that I know or have satisfactory evidence that Kenneth J. Farkas is the person who appeared before me, and said person acknowledged that he/she signed this instrument and acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated January 28, 2004
Signature of [Signature]
Notary Public
Printed Name Articia Carrison
My appointment expires 1/23/06

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(130209.513)

ARTICIA CARRISON
NOTARY PUBLIC WAYNE CO., MI
MY COMMISSION EXPIRES Jan 23, 2006